

Form NLRB - 501 (2-08)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

FIRST AMENDED CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
32-CA-197020	7-28-2017

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer Tesla Motors Corporation		b. Tel. No. (510)249-3650
		c. Cell No. (650)454-5386
d. Address (street, city, state ZIP code) 45500 Fremont Blvd, Fremont, CA 94538-6326	e. Employer Representative Arnon Geshuri Vice President of HR	f. Fax No.
		g. e-Mail arnon@tesla.com
		h. Dispute Location (City and State) Fremont, CA
i. Type of Establishment (factory, nursing home, hotel) Factory	j. Principal Product or Service Automotive Manufacturing	k. Number of workers at dispute location Approximately 7,000

1. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsection (1) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Within the last six months, the above-named Employer, through its agents, violated the Act by promulgating and/or maintaining unlawful rules restricting Section 7 activity, including overly broad confidentiality provisions and rules pertaining to use of social media, authorization requirements, the taking of photographs, videos, and recordings, distribution, and employee access to the Employer's facility and/or enforcing existing rules in an unlawful manner in response to employees' Section 7 activities; and intimidating and harassing employees for their Section 7 activities.

3. Full name of party filing charge (if labor organization, give full name, including local name and number) (b)(6), (b)(7)(C)		
4a. Address (street and number, city, state, and ZIP code) (b)(6), (b)(7)(C)		4b. Tel. No.
		4c. e-Mail (b)(6), (b)(7)(C)
		4d. Fax No.
		4e. e-Mail (b)(6), (b)(7)(C)
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)		
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		Tel. No.
By: <i>Margo A. Feinberg</i> (signature of representative or person making charge)		Office, if any, Cell No. (323) 655-4700
Margo Feinberg, Esq., Attorney for Charging Party		Fax No. (323) 655-4488
Address: Schwartz, Steinsapir, Dohrmann & Sommers, LLP, 6300 Wilshire Blvd, Suite 2000, L.A., CA 90048		e-Mail margo@ssdslaw.com
Date: 7/28/17		

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.